

**North Wales Water Authority  
Board of Directors Meeting  
Minutes of 11/14/2018**

**Call to order:**

A regular business meeting of the NWWA Board of Directors was held at the NWWA Offices, 200 W. Walnut Street, North Wales, PA., 19454, and was called to order at 5:00 p.m. by Chair Nagel.

**Pledge of Allegiance:**

Mrs. Nagel led all in attendance in the Pledge of Allegiance

**Roll Call:**

Roll call was taken and recorded as follows;

<u>Attendee Name</u>	<u>Organization</u>	<u>Title</u>	<u>Status</u>
Joan H. Nagel	NWWA	Chair	Present
Albert S. Tenney	NWWA	Vice Chair	Present
Donna L. Mengel	NWWA	Secretary	Present
Edward Neiderhiser	NWWA	Treasurer	Present
Neil McDevitt	NWWA	Asst. Sec/Treasurer	Present
Robert C. Bender	NWWA	Executive Director	Present
Brad S. Fisher, P.E.	NWWA	Director of Eng. / Ops.	Present
Christine Lezoche	NWWA	Director of Finance	Present
Michael Clarke, Esq.	Rudolph Clarke	Authority Solicitor	Absent
Melissa Fiala, Esq.	Rudolph Clarke	Authority Solicitor	Present
Kenneth Heydt, P.E.	Carroll Engineering	Authority Engineer	Present
Lane Bodley, P.E.	Carroll Engineering	Authority Engineer	Present

Becca Suskin was present as the interpreter for Mr. McDevitt.

**Approval of Minutes:**

The Board considered approval of the Minutes of 10/10/2018. Upon a motion of member Tenney, seconded by member Mengel, the minutes were approved.

**Vote Record**

x	Approved		Yes/Aye	No/Nay	Abstain	Absent
	Tabled	Mrs. Nagel	x			
	Failed	Mr. Tenney	Initiator	x		
		Ms. Mengel	Seconded	x		
		Mr. Neiderhiser		x		
		Mr. McDevitt		x		

Chair Nagel reported that a short Executive Session occurred after the previous meeting to discuss a personnel matter where no formal action or vote was taken.

**Public Comment:**

Mayor Gregory D'Angelo was present and offered no comment.  
Mrs. Jocelyn Tenney was present and offered no comment.

**Resolutions:** None this meeting

**Bids and Contracts:** None this meeting

**Solicitors Report:**

Ms. Fiala presented the following for approval:

Extension Agreement for E-1042 DeSantis Homes, for approval. This is a seven lot single-family home subdivision located in Lower Gwynedd Township, at Brushtown and Gypsy Hill Roads.

Upon motion of member McDevitt, seconded by member Mengel, the agreement was approved.

**Vote Record**

x	Approved		Yes/Aye	No/Nay	Abstain	Absent
	Tabled	Mrs. Nagel	x			
	Failed	Mr. Tenney	x			
		Ms. Mengel	Seconded	x		
		Mr. Neiderhiser	x			
		Mr. McDevitt	Initiator	x		

The Board next considered project # E-1041, extending water service to a commercial property in Lower Gwynedd Township, located at Route 309 and Welsh Rds. The Solicitor requested approval of the following motion: *"I move that the North Wales Water Authority ("Authority") Board, by its authorized officers, execute the Deed of Dedication of Public Water Easements ("Agreement") as prepared by the Authority Solicitor, between the Authority and Montgomery Crossing Associates, LP ("Developer"), concerning a commercial subdivision known as Firebird's Wood Fired Grill, tax parcel number 46-00-00259-00-1, subject to receipt by the Authority of all payments required of the Developer under the terms of the Agreement for engineer, legal and administrative fees, all other items deemed necessary by the Executive Director, and Authority receiving copies of the duly executed copies of the Agreement"*.

Upon motion by member Tenney, seconded by member Mengel, the agreement was approved.

**Vote Record**

x	Approved		Yes/Aye	No/Nay	Abstain	Absent
	Tabled	Mrs. Nagel	x			
	Failed	Mr. Tenney	Initiator	x		
		Ms. Mengel	Seconded	x		
		Mr. Neiderhiser	x			
		Mr. McDevitt	x			

The Board next considered approval of an agreement for a Permanent Access Easement and Use License for Airport Square Associates (Montgomery Tank 3) property. The Solicitor requested approval of the following motion. *"The North Wales Water Authority ("Authority") Board, by its authorized officers, approve and execute, effective as of November 13, 2018, the "General Agreement and Temporary Use License" and "Deed of Permanent Access Easements" relating to the acquisition of temporary and permanent easements from Water Tower Square Associates for the new water storage tank and related facilities and appurtenances to be constructed in Montgomery Township near the intersection of Upper State Road and General Hancock Boulevard, and authorize the Solicitor, upon execution of said Agreements, to withdraw the Declaration of Taking filed on behalf of the Authority on October 29, 2018 regarding the required easements"*.

Upon a motion of member Tenney, seconded by member Neiderhiser, the requested motion was approved.

**☑ Vote Record**

x	Approved
	Tabled
	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney	Initiator	x			
Ms. Mengel		x			
Mr. Neiderhiser	Seconded	x			
Mr. McDevitt		x			

The Solicitor requested acceptance and approval of the Deed of Dedication for E-1044 Water Tower Square Associates - Millers Ale House: *"The North Wales Water Authority Board, by its authorized officers, approve the Deed of Dedication relating to the Water Tower Square Associates Development project (E-1044), subject to the developer's receipt of lender approval, and authorize the Chair to execute said Deed of Dedication upon satisfaction of said condition as confirmed by the Authority Solicitor"*.

Upon a motion of member Mengel, seconded by member Neiderhiser, the motion was approved.

**☑ Vote Record**

x	Approved
	Tabled
	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney		x			
Ms. Mengel	Initiator	x			
Mr. Neiderhiser	Seconded	x			
Mr. McDevitt		x			

**Engineers Report:**

Mr. Heydt presented the following for approval:

Final Payment Application #5 for Contract 833-17-14 to Joao & Bradley in the amount \$3,971.90 for the sewer lateral project. This closes the project and has received the required release of liens.

Upon a motion of member Tenney, seconded by member Mengel, the payment was approved.

**☑ Vote Record**

x	Approved
	Tabled
	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney	Initiator	x			
Ms. Mengel	Seconded	x			
Mr. Neiderhiser		x			
Mr. McDevitt		x			

Change Order #1 for Contract 530-18-14 for the Penllyn Water Project including an extension of 37 calendar days due to ongoing weather related delay.

Upon a motion of member Mengel, seconded by member McDevitt, the change order was approved.

**☑ Vote Record**

x	Approved
	Tabled

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			

Failed
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Mr. Tenney		x			
Ms. Mengel	Initiator	x			
Mr. Neiderhiser		x			
Mr. McDevitt	Seconded	x			

Payment Application #2 for Contract 530-18-14 to B. P. Paterson in the amount \$278,588.98. Upon a motion of member Mengel, seconded by member Tenney, the payment was approved.

**☑ Vote Record**

x	Approved
	Tabled
	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney	Seconded	x			
Ms. Mengel	Initiator	x			
Mr. Neiderhiser		x			
Mr. McDevitt		x			

Change Order #1 for Contract 530-18-15 for the Oak, Spruce, and Smith Street Project, for an extension of 14 days due to weather delays. Upon a motion of member Tenney, seconded by member Mengel, the change order was approved.

**☑ Vote Record**

x	Approved
	Tabled
	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney	Initiator	x			
Ms. Mengel	Seconded	x			
Mr. Neiderhiser		x			
Mr. McDevitt		x			

Payment Application #1 for Contract 530-18-15 to Doli Construction in the amount \$419,636.38 for the Oak, Spruce, and Smith Streets project. Upon a motion of member Mengel, seconded by member Tenney, the payment was approved.

**☑ Vote Record**

x	Approved
	Tabled
	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney	Seconded	x			
Ms. Mengel	Initiator	x			
Mr. Neiderhiser		x			
Mr. McDevitt		x			

**Operations Report:**

Mr. Fisher reviewed the monthly operations report, and mentioned the following:

- A main break occurred on 11/5/18 from a ruptured 16-inch cast iron water main along Sumneytown Pike, Upper Gwynedd Township. A new valve was installed so that the number of customers impacted will be substantially reduced should this recur in that area. Mr. Fisher stated that we are considering the replacement of this entire section of cast iron main, due to the recurrent breaks. He stated that there is approximately 1000 ft. of main involved, at an estimated cost of \$200.00 per foot.

- He reported that we had 2 separate main breaks on Lansdale Ave today

Mr. Fisher presented a Certificate of Completion for E-1002 Gable Estates, located in Whitpain Twp. Upon a motion of member Mengel, seconded by member Neiderhiser, the certificate was approved.

**☑ Vote Record**

<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Tabled
<input type="checkbox"/>	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney		x			
Ms. Mengel	Initiator	x			
Mr. Neiderhiser	Seconded	x			
Mr. McDevitt		x			

**Bills & Requisitions Approval:**

Mrs. Lezoche then presented the bills list, advising that there were no payments or activities out of the ordinary, and recommended and requested approval to pay all invoices, to process all refunds, and to transfer and/or requisition funds, as presented.

- Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/09/2018
- Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/19/2018
- Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/25/2018
- Ratification of Bills, Refunds, Transfers and Requisitions List dated: 10/31/2018

Payment of the bills, as presented, was approved by the Board in a roll call vote:

**☑ Vote Record**

<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Tabled
<input type="checkbox"/>	Failed

		Yes/Aye	No/Nay	Abstain	Absent
Mrs. Nagel		x			
Mr. Tenney		x			
Ms. Mengel	Initiator	x			
Mr. Neiderhiser		x			
Mr. McDevitt	Seconded	x			

**Executive Directors Report:**

Mr. Tenney made a motion to approve an amended employment contract for the Executive Director dated 11/14/2018. The motion was seconded by Ms. Mengel and all Board members were in agreement.

Mr. Bender requested a brief executive session after the regular meeting to update the Board on several a real estate matters, including potential litigation. He noted that no official action would be requested during or after the Executive session.

Mr. Bender next updated the Board on PMAA Region 1 activities, noting that a dinner meeting is being planned, with a tentative date of January 31<sup>st</sup>. Additional information to follow.

Mr. Bender discussed a situation with many conflicts and confusing situations created as we are currently reporting on a fiscal year versus a calendar year. He noted that the Authority has traditionally adopted the annual budget and operated on a fiscal year commencing each November 1<sup>st</sup>. He stated that this has created unnecessary expenses, as most of our mandated reporting, including certain financial reports such as tax reconciliations, W2

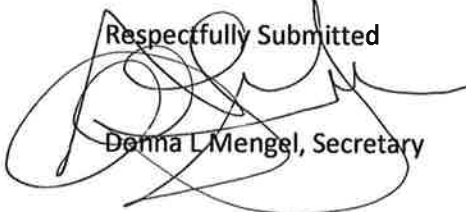
forms, 1099 forms, and many operational and water quality reports to the PaDEP, the EPA, and many other documents such as our consumer confidence reports, must be based upon on a calendar year basis. The advised that this requires us to prepare multiple versions and sorting of the same data, and causes not only additional work and expenses, but frequent confusion, as we are reporting on both a November to November basis, as well as a January to January basis. Mr. Bender requested Board concurrence to have the Solicitor investigate and advise on the process of switching to a calendar year basis.

The Board agreed to proceed.

**Adjournment:**

There being no further business before the Board, upon motion by member Mengel, seconded by member Tenney the formal business meeting was adjourned into Executive Session at 5:35 pm.

All present and participating voted in favor.

Respectfully Submitted  
  
Donna L. Mengel, Secretary